

PLEASE TAKE FURTHER NOTICE that Capital One shall rely on the attached Certification of Eduardo J. Glas dated November 21, 2014, a proposed form of Order is also attached.

PLEASE TAKE FURTHER NOTICE that opposition, if any, must be served upon the undersigned by December 8, 2014.

PLEASE TAKE FURTHER NOTICE that the undersigned requests oral argument in the event any opposition is filed to this Motion.

Dated: New York, New York
November 21, 2014

McCARTER & ENGLISH, LLP
*Attorneys for Capital One National
Association*

By: /s/Eduardo J. Glas
Eduardo J. Glas
A Member of the Firm
245 Park Avenue, 27th Floor
New York, New York 10167
(212) 609-6800

SERVICE LIST

BY ECF

Abraham Hoschander
Abraham Hoschander & Associates
Attorneys for Defendants
48-52 Franklin, LLC and Marshall Weisman
236 Broadway
Brooklyn, NY 11211

John M. Comiskey, Esq.
AGOVINO & ASSELTA, LLP
Attorneys for Defendant
CM and Associates Construction Management, LLC
s/h/a CM & Associates Construction
330 Old Country Road, Suite 201
Mineola, New York 11501

**BY HAND DELIVERY, OVERNIGHT MAIL, AND
CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Marshall Weisman
240 Oak Knoll Road
Lakewood, New Jersey 08701

48-52 Franklin, LLC
c/o Marshall Weisman
240 Oak Knoll Road
Lakewood, New Jersey 08701

and

48-52 Franklin, LLC
c/o Marshall Weisman
2275 West County Line Rd.
Jackson, New Jersey